

ORDINANCE NO. __9

(Series of 2010)

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF BUENA VISTA, COLORADO AMENDING CHAPTER 13 OF THE BUENA VISTA MUNICIPAL CODE GOVERNING WATER CONNECTION PERMITS AND PAYMENT OF FEES (SIDF)

WHEREAS, the Board of Trustees desires to clarify the regulatory requirements for property connecting to the town's municipal water delivery system, and the permits and payment of fees required for connection.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO AS FOLLOWS:

Section One: Section 13-84(b), "Water system connection fee" of Article V "Water Rates and Charges" of Chapter 13, "Municipal Utilities" of the Buena Vista Municipal Code is hereby amended to read as follows:

Payment schedule. Prior to the connection of new or upgraded water service to any lot, property or structure, the then-current connection fee (SIDF) based on meter size as set forth in the Town's current schedule of water service fees shall be paid. A fixture count form is required to be submitted to the Public Works Department by the applicant for determination of the meter size prior to payment of the connection fee. Such connection fee shall be paid at the time of issuance of an excavation or building permit, *if one is required*, and in no event shall a connection to the municipal water system be made or allowed prior to the payment of the applicable fee.

Section Two: Section 13-123(b), "Connection permits and charges for service lines; no refunds upon expiration of permit" of Article VII "Water Service Installation" of Chapter 13, "Municipal Utilities" of the Buena Vista Municipal Code, which reads as set forth below, is hereby deleted.

No person may apply for or receive a connection permit (water tap) absent the possession of a corresponding current building or excavation permit for the building or property to be served by the service connection

Section Three: This Ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Four: The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not

affect the validity or effectiveness of the remainder of this Ordinance.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 13th day of April, 2010.

TOWN OF BUENA VISTA

By: Cara Russell
Mayor, Cara Russell

ATTEST:

Diane Spomer
Town Clerk, Diane Spomer

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